

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
EK VENTURES I, LLC;)	
DAVID L. TAYLOR;)	
DAVID L. TAYLOR AND VIRGINIA L.)	
TAYLOR as TRUSTEES FOR THE)	
TAYLOR FAMILY REVOCABLE TRUST;)	
and)	
FLEXTRONICS INTERNATIONAL LTD.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION
)	NO. 03-12506-WGY
JAMES R. BARTLETT,)	
and)	
Z.B.R. PUBLICATIONS, INC.,)	
)	
Defendants.)	
_____)	

ORDER

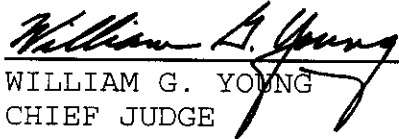
YOUNG, C.J.

February 26, 2004

Pursuant to Conley v. Gibson, 355 U.S. 41, 45-46 (1957), this Court reviewed Defendants James R. Bartlett ("Bartlett") and Z.B.R. Publications, Inc.'s ("ZBR") Motions to Dismiss all claims arising from the sale of Bindco Corporation stock. Since the Plaintiffs have alleged sufficient facts to support their claims, and there remain factual questions as to the scope and applicability of the limitations period set out in the Stock Purchase and Sale Agreement governing the sale, the Plaintiffs have met their burden. Accordingly, this Court DENIES Bartlett's

Motion to Dismiss [Doc. No. 8] and DENIES ZBR's Motion to Dismiss [Doc. No. 13].

SO ORDERED.


WILLIAM G. YOUNG
CHIEF JUDGE